

BR
RECEIVED

JAN 08 2008 *aw*
Jan 8, 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DeValius McDonald

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

08CV156
JUDGE HART
MAGISTRATE JUDGE COX

vs.

Case No: _____
(To be supplied by the Clerk of this Court)

Rachele A. Conat

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

_____ COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

_____ COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☒ OTHER (cite statute, if known) _____

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: DeValius McDonald
- B. Date of Birth: Feb 7, 1955
- C. List all aliases: none
- D. Prisoner identification number: 055990
- E. Place of present confinement: Kane County Jail
- F. Address: 777 East Fabian Parkway, Geneva, IL 60134

(If there is more than one plaintiff, then each plaintiff must list his or her name, date of birth, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Rachele A. Conat
 Title: Attorney at Law
Judicial Center suite 200
 Place of Employment: 37W777C Route 38, St. Charles, IL 60175-7533
- B. Defendant: none
 Title: _____
 Place of Employment: _____
- C. Defendant: none
 Title: _____
 Place of Employment: _____

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: DeValius McDonald-vs-Dr. Kim
07C 7221
- B. Approximate date of filing lawsuit: December 26, 2007
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: DeValius McDonald
- D. List all defendants: Dr. KIM
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Northern District of Illinois
- F. Name of judge to whom case was assigned: Judge Bucklo
Magistrate Judge Keys
- G. Basic claim made: Prescribed and dispensed wrong medication
without plaintiff's knowledge or permission that caused
heart to spurt, skip beats and heart spasms.
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Still pending
- I. Approximate date of disposition: none as of yet

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Due to the ineffectiveness of Attorney Rachele A. Conat, Plaintiff has been continuously held in detainment in Kane County Jail since July 26, 2007. First court appearance Defendant refused to file Motion for Speedy Trial and Motion to Compel Discovery as requested by this Plaintiff. Plaintiff's request for Speedy Trial at every court appearance was ignored by this Attorney. Plaintiff's Attorney knowingly and willingly ignored this Plaintiff at all court appearances, all phone calls and all mailings for over 5 months, thus violating Plaintiff's right to Communicate and Consult with Attorney. Court date December 12, 2007 is when Plaintiff discovered that Attorney Rachele A. Conat has at every court appearance against Plaintiff's wishes, knowledge, consent or notification there of, has been filing in the court, Motion for Continuance by Agreement, thus denying this Plaintiff's U.S. Const. VI

Amendment right to a Speedy Trial by creating
Undue delay.

Case # 07 CF 2172

Kane County Court

37 W 777 Route 38, St. Charles, IL 60175

St. Charles, IL 60175

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.


Rachele A. Conat's ineffectiveness as Plaintiff's
Attorney has inflicted grievous pain and suffering
upon this Plaintiff. Relief is asked in the
sum of \$ 72,500.00.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 3 day of Jan, 2008



(Signature of plaintiff or plaintiffs)

Delalious McDonald

(Print name)

055990

(I.D. Number)

Kane County Jail 302

277 East Fabyan Parkway

Geneva, IL 60134

(Address)